

Network Enforcement Act Report: January - December 2018



Information on the general efforts to prevent illegal actions

At SoundCloud we go to great lengths to ensure our platform is free from illegal content. From the moment a user signs up to use SoundCloud they are required to agree to our [Terms of Use](#) and [Community Guidelines](#). Our Terms of Use clearly state that users are not permitted to upload any illegal content or content that violates these Terms to the platform.

As a further means of restricting the actions of potential bad actors, it's not possible for users to upload audio content or send messages or comments without first confirming their email address. We also ensure that most email addresses from 'throw away' email providers are blocked from signing up to the platform. These measures help ensure that users of the platform are genuine actors and guards against those attempting to spread illegal content with anonymity.

In the event that users chose to upload content in violation of our Terms of Use, report forms are available on the platform. These enable people to report any content for review, leading to removal where necessary.

We have also developed automated systems that aim to detect illegal imagery - this predominantly includes ISIS flags. When these systems detect illegal imagery, the account associated with the uploaded content is immediately removed and suspended from the platform - ensuring the content is no longer available. In cases of erroneous suspension, users are able to contact us via our report forms to have the account reinstated.

Our complaint procedure and decision-making process

We have developed and implemented a robust procedure for dealing with complaints regarding illegal content or other content that violates our Terms of Use.

The following resources are available to help users decide if content should be reported as a violation of our Terms of Use or German law:

- [Terms of Use](#)
- [Community Guidelines](#)
- [Help Center articles](#)
- [German Criminal Code/Deutsches Strafgesetzbuch, 'StGB'](#)

Where someone finds content that is in violation, they can report it to the Trust & Safety Team via our online report buttons or Help Center report forms.



All reports are then reviewed manually by our Trust & Safety Team using our Terms of Use, internal guidelines and German law (German Criminal Code/Deutsches Strafgesetzbuch, 'StGB', in particular) as criteria for deciding the outcome for each report.

Any reported content found to be in violation will be removed and the uploader of the content will be issued with a warning via email. All warnings issued will clearly state which section of our Terms of Use has been violated by the content in question. Likewise, the complainant will be informed of the outcome and the reasoning behind this via email.

Any accounts deemed to be dedicated to uploading illegal or violating content will be permanently suspended and the account owner notified of this via email. We consider an account to be dedicated to this type of content if it can be clearly identified as solely existing to provide a platform for this specific content.

At the point of suspension, the email address used to create the account is blacklisted, preventing further accounts being created using the same email address.

All accounts affected by the removal of content have the right to reply and appeal. Any requests to reconsider a decision made by the Trust & Safety Team will in turn be reviewed by the team in the same manner as the initial report - being escalated through the Business & Legal Affairs Team representative where necessary.

Where reports are received and the content is found not to be in violation, we respond to the complainant via email to explain the reason for not removing the content.

Who is handling the complaints

Complaints concerning illegal and violating content are handled by the Trust & Safety Team. At the time of publication the Trust & Safety Team consists of four employees:

- Senior Trust and Safety Manager
 - In role since September 2013
 - Education Level - University Degree
 - Part of the Business & Legal Affairs Team reporting to Senior Legal Counsel
- Trust & Safety Manager
 - In role since September 2014
 - Education Level - University Degree
 - Part of the Business & Legal Affairs Team reporting to Senior Legal Counsel
- Trust & Safety Specialist
 - In role since August 2018
 - Education Level - University Degree
 - Part of the Business & Legal Affairs Team reporting to Senior Legal Counsel
- Trust & Safety Specialist
 - In role since August 2018
 - Education Level - University Degree
 - Part of the Business & Legal Affairs Team reporting to Senior Legal Counsel

In order to assist where necessary, the Trust & Safety Team receives linguistic support from the wider organisation. At the time of publication linguistic support is available in 25 different languages from employees of 33 different nationalities. For additional support, the Trust &

Safety Team has access to various other means of translation including translation tools and third party translators.

In addition, content-related support and training is provided internally by a line manager in the Business & Legal Affairs Team, who is a fully qualified German lawyer.

SoundCloud is not currently a member of an industry association.

The Numbers

The following section displays the number of reports received that explicitly refer to Network Enforcement Act, broken down by various factors to clearly detail the varying types of reports received. As consultation with external bodies is not currently integrated within our complaints handling process, and no external bodies were utilised to this end during the period reflected in this report, figures regarding this have not been included.

Reports from German Users and Complaints Bodies	
Month	Number of Reports
January	6
February	4
March	2
April	0
May	0
June	5
July	50
August	19
September	1
October	12
November	3
December	4
Total	106



The number of the received complaints, broken down according to whether they were submitted by complaints bodies or by users, and according to the reason for the complaint:

		Reason for Reporting					
		§ 86 StGB - Dissemination of propaganda material of unconstitutional organisations	§ 86a StGB - Using symbols of unconstitutional organisations	§ 89a StGB - Preparation of a serious violent offence endangering the state			
Reported By		User Report	Complaint Body	User Report	Complaint Body	User Report	Complaint Body
Month							
January		3	1	0	0	0	0
February		2	0	0	0	0	0
March		1	0	0	0	0	0
April		0	0	0	0	0	0
May		0	0	0	0	0	0
June		4	0	0	0	0	0
July		2	0	0	0	0	0
August		9	0	9	0	0	0
September		0	0	1	0	0	0
October		10	0	0	0	0	0
November		2	0	1	0	0	0
December		2	0	1	0	0	0
	Total	35	1	12	0	0	0

		Reason for Reporting					
		§ 91 StGB - Encouraging the commission of a serious violent offence endangering the state	§ 100a StGB - Treasonous forgery	§ 111 StGB - Public incitement to crime			
Reported By		User Report	Complaint Body	User Report	Complaint Body	User Report	Complaint Body
Month							
January		0	0	0	0	0	0
February		0	0	0	0	0	0
March		0	0	0	0	0	0
April		0	0	0	0	0	0

May	0	0	0	0	0	0
June	0	0	0	0	0	0
July	0	0	0	0	0	0
August	0	0	0	0	0	0
September	0	0	0	0	0	0
October	0	0	0	0	0	0
November	0	0	0	0	0	0
December	0	0	0	0	0	0
	Total	0	0	0	0	0

		Reason for Reporting				
		§ 126 StGB - Breach of the public peace by threatening to commit offences		§ 129 to 129b StGB - Forming criminal organisations, Forming terrorist organisations, Criminal and terrorist organisations abroad; extended confiscation and deprivation		§ 130 StGB - Incitement to hatred
Reported By		User Report	Complaint Body	User Report	Complaint Body	User Report
Month						
January		0	0	0	0	0
February		0	0	0	0	1
March		0	0	0	0	0
April		0	0	0	0	0
May		0	0	0	0	0
June		0	0	0	0	0
July		0	0	0	0	47
August		0	0	0	0	0
September		0	0	0	0	0
October		0	0	0	0	1
November		0	0	0	0	0
December		0	0	0	0	0
	Total	0	0	0	0	49

		Reason for Reporting					
		§ 131 StGB - Dissemination of depictions of violence		§ 140 StGB - Rewarding and approving of offences		§ 166 StGB - Defamation of religions, religious and ideological associations	
Reported By		User Report	Complaint Body	User Report	Complaint Body	User Report	Complaint Body
Month							
January		0	0	0	0	0	0
February		1	0	0	0	0	0
March		0	0	0	0	0	0
April		0	0	0	0	0	0
May		0	0	0	0	0	0
June		0	0	0	0	0	0
July		0	0	0	0	0	0
August		0	0	0	0	0	0
September		0	0	0	0	0	0
October		0	0	0	0	0	0
November		0	0	0	0	0	0
December		0	0	0	0	0	0
	Total	1	0	0	0	0	0

		Reason for Reporting					
		§ 184b in connection with § 184d StGB - Distribution, acquisition and possession of child pornography and Distribution of pornographic performances by broadcasting, media services or telecommunications services		§§ 185 to 187 StGB- Insult, Defamation, Intentional defamation		§ 241 StGB - Threatening the commission of a felony	
Reported By		User Report	Complaint Body	User Report	Complaint Body	User Report	Complaint Body
Month							
January		2	0	0	0	0	0
February		0	0	0	0	0	0
March		1	0	0	0	0	0
April		0	0	0	0	0	0
May		0	0	0	0	0	0

June		1	0	0	0	0	0
July		1	0	0	0	0	0
August		0	0	1	0	0	0
September		0	0	0	0	0	0
October		1	0	0	0	0	0
November		0	0	0	0	0	0
December		1	0	0	0	0	0
	Total	7	0	1	0	0	0

		Reason for Reporting	
		§ 269 StGB - Forgery of data intended to provide proof	
Reported By		User Report	Complaint Body
Month			
January		0	0
February		0	0
March		0	0
April		0	0
May		0	0
June		0	0
July		0	0
August		0	0
September		0	0
October		0	0
November		0	0
December		0	0
	Total	0	0

The number of complaints that led to the content being deleted/blocked, broken down according to whether the complaints were submitted by complaints bodies or by users, according to the reason for it, according to whether the case fell under art. 1, sec. 3(2) number 3(a), and if so, whether the complaint was forwarded to the user, and whether the matter was referred to a recognised self-regulation institution pursuant to sec. 3(2) number 3(b):

Please note: We currently do not refer decisions regarding unlawfulness to external bodies (recognised self-regulation institutions) in the sense of sec. 3(2) number 3(b).

Reports Resulting in Removal of Content								
	Section of Criminal Code							
	86		86a		89a		91	
	User Report	Complaint Body	User Report	Complaint Body	User Report	Complaint Body	User Report	Complaint Body
Falls under art. 1, sec. 3(2) number 3(a)								
Yes	1*	0	0	0	0	0	0	0
No	34	1	12	0	0	0	0	0
Total	36		12		0		0	

*This complaint was not forwarded to the user prior to the removal of this content.

Reports Resulting in Removal of Content								
	Section of Criminal Code							
	100a		111		126		129 to 129b	
	User Report	Complaint Body	User Report	Complaint Body	User Report	Complaint Body	User Report	Complaint Body
Falls under art. 1, sec. 3(2) number 3(a)								
Yes	0	0	0	0	0	0	0	0
No	0	0	0	0	0	0	0	0
Total	0		0		0		0	

Reports resulting in Removal of Content

	Section of Criminal Code							
	130		131		140		166	
	User Report	Complaint Body	User Report	Complaint Body	User Report	Complaint Body	User Report	Complaint Body
Falls under Article 1 Sec 3 (2) number 3 (a)								
Yes	0	0	0	0	0	0	0	0
No	47	0	1	0	0	0	0	0
Total	47		1		0		0	

Reports resulting in Removal of Content

	Section of Criminal Code							
	184b in connection with 184d		185 to 187		241		269	
	User Report	Complaint Body	User Report	Complaint Body	User Report	Complaint Body	User Report	Complaint Body
Falls under art. 1, sec. 3(2) number 3(a)								
Yes	0	0	0	0	0	0	0	0
No	7	0	0	0	0	0	0	0
Total	7		0		0		0	

The time it took to delete the content, broken down according to who submitted the complaints, according to the reason for it, and into the periods “within 24 hours”/“within 48 hours”/“within a week”/“at some later point”:

Reports resulting in Removal of Content								
	Section of Criminal Code							
	86		86a		89a		91	
	User Report	Complaint Body	User Report	Complaint Body	User Report	Complaint Body	User Report	Complaint Body
Time taken for Deletion								
Within 24 hours	9	0	2	0	0	0	0	0
Within 48 hours	5	1	1	0	0	0	0	0
Within 72 Hours	17	0	9	0	0	0	0	0
Within a Week	3	0	0	0	0	0	0	0
More than a Week	1	0	0	0	0	0	0	0
Total	36		12		0		0	

Reports resulting in Removal of Content								
	Section of Criminal Code							
	100a		111		126		129 to 129b	
	User Report	Complaint Body	User Report	Complaint Body	User Report	Complaint Body	User Report	Complaint Body
Time taken for Deletion								
Within 24 hours	0	0	0	0	0	0	0	0
Within 48 hours	0	0	0	0	0	0	0	0

Within 72 Hours	0	0	0	0	0	0	0	0
Within a Week	0	0	0	0	0	0	0	0
More than a Week	0	0	0	0	0	0	0	0
Total	0		0		0		0	

Reports resulting in Removal of Content								
Time taken for Deletion	Section of Criminal Code							
	130		131		140		166	
	User Report	Complaint Body	User Report	Complaint Body	User Report	Complaint Body	User Report	Complaint Body
Within 24 hours	42	0	0	0	0	0	0	0
Within 48 hours	2	0	0	0	0	0	0	0
Within 72 Hours	2	0	0	0	0	0	0	0
Within a Week	1	0	1	0	0	0	0	0
More than a Week	0	0	0	0	0	0	0	0
Total	47		1		0		0	

Reports resulting in Removal of Content								
Time taken for Deletion	Section of Criminal Code							
	184b in connection with 184d		185 to 187		241		269	
	User Report	Complaint Body	User Report	Complaint Body	User Report	Complaint Body	User Report	Complaint Body
Within 24 hours								
Within 48 hours								
Within 72 Hours								
Within a Week								
More than a Week								
Total								

Deletion								
Within 24 hours	5	0	0	0	0	0	0	0
Within 48 hours	0	0	0	0	0	0	0	0
Within 72 Hours	2	0	0	0	0	0	0	0
Within a Week	0	0	0	0	0	0	0	0
More than a Week	0	0	0	0	0	0	0	0
Total	7		0		0		0	